

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

HERIBERTO BAJO-RAMIREZ,

Plaintiff,

v.

No. CV 09-0598 WJ/LAM

SIX UNKNOWN AGENTS, et al.,

Defendants.

ORDER TO CURE DEFICIENCY

Plaintiff Heriberto Bajo-Ramirez filed a *Civil Right[s] Action Under 42 [U.S.C. §] 1983 (Doc. 1)* on June 17, 2009. The Court determines that this document is deficient as described in this order. Plaintiff is directed to cure the following if he wishes to pursue his claims:

I. Filing Fee.

X No filing fee (\$350 civil) has been received.

II. Prisoner's Motion and Affidavit for Leave to Proceed *In Forma Pauperis* Pursuant to 28 U.S.C. § 1915:

- (1) X is not filed
- (2) is missing affidavit
- (3) is missing certified copy of prisoner's trust fund statement for the 6-month period immediately preceding this filing
- (4) is missing required financial information
- (5) is missing an original signature by the prisoner
- (6) is not on proper form (must use current form)
- (7) names in caption do not match names in caption of complaint, petition or habeas application
- (8) An original and a copy have not been received by the Court. Only an original has been received.
- (9) other _____

III. Complaint, Petition or Application:

- (1) is missing
- (2) is not on proper form (must use our form Rev. 5/96)

- (3) is missing an original signature by the prisoner
- (4) is missing page nos. _____
- (5) uses et al. instead of listing all defendants/respondents
- (6) An original and a copy have not been received by the Court. Only an original has been received.
- (7) Sufficient copies to serve each defendant/respondent have not been received by the Court.
- (8) names in caption do not match names in text
- (9) other _____

IT IS THEREFORE ORDERED that Plaintiff must cure the deficiencies designated above **within thirty (30) days from the date of this order**. Any papers which Plaintiff files in response to this order must include the civil action number (CV 09-0598 WJ/LAM) of this case. Failure to cure the designated deficiencies within thirty (30) days from the date of this order may result in **dismissal** of this action without further notice.

IT IS FURTHER ORDERED that the Clerk of the Court is directed to mail to Plaintiff, together with a copy of this order, the following forms: 2 copies each of Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and Financial Certificate.

IT IS FURTHER ORDERED that, if Applicant fails to cure the designated deficiencies **within thirty (30) days from the date of this order, this action may be dismissed without prejudice without further notice.**

IT IS SO ORDERED.

Lourdes A. Martinez

LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE